

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/05/2010 has been entered.

Response to Amendment

Amendment received on 01/05/2010 is acknowledged and entered. Claim 1 has been amended. Claims 1-14 are currently pending in the application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a personal interview with an applicant's representative Steven H. Noll (Reg. No.: 28,982) on Monday, January 25, 2010.

The application has been amended as follows:

IN THE CLAIMS

1. (Currently Amended) An arrangement for loading rate table data comprising:

an external scale having a postage calculator requiring rate table data to calculate a monetary postage value for a postal item weighed by said scale;

a postage meter that prints said monetary postage value on said postal item, said postage meter having a processor therein;

a serially-operating modem which receives said rate table data from an external source other than said postage meter; and

a switchover module connected between said postage meter, said scale and said modem, and having said switchover module being configured, upon receiving a control signal from the postage calculator via a control line, to be switched from among a plurality of switching states of said switchover module to a serial connection state a control line for setting a switching state of said switchover module to thereby produce a serial connection between said external source and said postage calculator in said scale to serially conduct data downloading of said rate table data from said external source to said postage calculator in said scale via said modem and said switchover module with no internal processing or storage of said rate table data by said processor of said postage meter.

Allowable Subject Matter

Claims 1-14 are allowed.

The following is an examiner's statement of reasons for allowance:

Independent claim 1.

As correctly stated in Applicant's Remarks of 01/05/2010, during the telephone interview of 12/08/2009 it was observed and agreed that conducting data through serial interfaces 62 and 63 in Freytag requires the participation of the processor 111 while the inventive features of the current application advantageously allow to avoid said participation of the processor during downloading of data to the postage calculator for the benefit of avoiding the "bottleneck" that occurs due to the participation of the processor in a postage meter machine when transferring rate table data from a remote data center to a postage scale, wherein the postage scale has a postage calculator therein. Further, during interview of 01/25/2010, changes to the claim language were discussed in order to clarify patentable subject matter and avoid issues under 35 USC 101. Finally, the agreement was reached and the Representative gave authorization for the Examiner Amendment to amend the claims and, thereby, place the claims into the condition of allowance.

The remaining dependent claims are considered allowable, as they are dependent and based off of the allowable independent claim.

Drawings

New corrected drawings in compliance with 37 CFR 1.121 (d) are required in this application because the drawings submitted 06/01/2000 and 09/01/2005, though technically compliant are of poorer quality.

Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reason for Allowance".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Igor N. Borissov/

Primary Examiner, Art Unit 3628

01/25/2010